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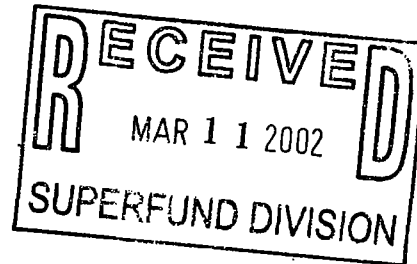
STEVEN M. WESLOH
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(513) 651-6911



March 1, 2002

Via Facsimile (312-886-6064) and Overnight Mail

U.S. Environmental Protection Agency
Ms. Deena Sheppard-Johnson, SR-6J
Remedial Enforcement Support Section
77 West Jackson Blvd.
Chicago, Illinois 60604



RE: AK Steel Corporation's Response to U.S. EPA's CERCLA § 104(e) Request for Information for the Chemical Recovery Systems Site

Dear Ms. Sheppard-Johnson:

Set forth herein and enclosed herewith are the responses of the AK Steel Corporation ("AK Steel") to U.S. EPA's Request for Information under CERCLA § 104(e) dated March 2, 2001, and received by AK Steel on January 22, 2002 ("Information Request"). AK Steel requested and was granted an extension of time to respond until March 1, 2002. AK Steel's response is subject to the following general objections and reservations:

I. GENERAL OBJECTIONS

These General Objections are expressly incorporated by reference into each of AK Steel's responses to which they apply, as if set forth in full, and will not be repeated therein.

1. AK Steel objects to the information requests to the extent that they impose obligations on AK Steel beyond those imposed by the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 *et seq.*
2. AK Steel objects to the information requests in that they exceed U.S. EPA's authority under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 *et seq.*
3. AK Steel objects to the information requests in that they seek, in substantial part, information already in the control and possession of the U.S. EPA.
4. AK Steel objects to providing any document that is protected by the attorney-client privilege, attorney-work-product privilege or other privilege.

5. AK Steel objects to responding to any information request to the extent that the information sought may be derived from documents which are a matter of public record and/or documents already in the possession of U.S. EPA, and said production would impose an unreasonable burden and expense on AK Steel.
6. AK Steel objects to the information request, because it is overly broad, unduly burdensome, poses an unreasonable expense and would require an unreasonable investigation on the part of AK Steel. Moreover, AK Steel objects to responding to any information request to the extent that developing such response would require AK Steel to create, develop, modify, amend, alter or otherwise change a document.
7. AK Steel objects to responding to any request that seeks trade secrets and confidential business and proprietary information of AK Steel, the disclosure of which could cause competitive harm to AK Steel. To the extent that the Information Request is intended to elicit such information, AK Steel objects and asserts protections to the fullest extent provided by law.

II. RESERVATIONS AND QUALIFICATIONS

Without waiver or limitation of the foregoing objections or of any of the objections to specific requests for production of documents hereinafter set forth, all responses of AK Steel to the Information Request are made without any admission of any fact, violation, or liability and without in any way waiving or intending to waive but, on the contrary, preserving and intending to preserve:

1. all defenses in any proceeding or the trial of this or any other matter or action;
2. all defenses in any action brought by the United States or U.S. EPA or any third-party and any causes of action AK Steel may have against the United States, U.S. EPA, or any third-party;
3. all questions as to competency, relevancy, materiality, privilege or admissibility as evidence for any purpose in any proceeding or the trial of this or any other matter or action;
4. the right to object, upon any ground, to the use of any such responses, or the subject matter thereof, in any proceeding or the trial of this or any other matter or action;

5. the right to object, upon any ground, and at any time, to any demand for further responses to the information requests or to any other discovery involving or relating to the subject matter of the information requests to which responses are herein or hereafter given; and
6. the right at any time to revise, correct, supplement, clarify and/or amend the responses furnished.

III. INFORMATION REQUESTS AND RESPONSES

1. Identify all persons consulted in the preparation of the answers to these questions.

John J. Kuzman, Jr., Esq.
Litigation Counsel
AK Steel Corporation
703 Curtis Street
Middletown, Ohio 45044

Mr. Carl Batliner
Manager, Environmental Affairs
AK Steel Corporation
Middletown Works
1801 Crawford Street
Middletown, OH 45043

Ms. Paula Spencer
Corporate Records Manager
AK Steel Corporation
703 Curtis Street
Middletown, Ohio 45044

2. Identify all documents consulted, examined, or referred to in the preparation of the answers to these questions and provide copies of all such documents.

A responsive document is enclosed, numbered AKS-00001.

3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons.

It is possible that former employees of the Elwin G. Smith Division of Cyclops Corporation or E.G. Smith Construction Products may have pertinent information, however AK Steel is not aware of specific employees that would have pertinent information, or their present whereabouts. Additionally, it is possible that current employees of the former E.G. Smith Construction Products facility in Cambridge, Ohio, which is presently owned by Centria, may have additional information.

4. List the EPA Identification Numbers of the Respondent.

AK Steel maintains numerous "EPA Identification Numbers" for its various manufacturing facilities. In general, these numbers are listed in U.S. EPA's Envirofacts database. AK Steel presumes U.S. EPA intended to limit this question to hazardous waste generator identification numbers for Elwin G. Smith facilities. AK Steel believes that the hazardous waste generator identification number for the Cambridge, Ohio facility of the Elwin G. Smith Division of Cyclops Corporation was OHD058842501. Additionally, AK Steel believes the hazardous waste generator identification number for the Emsworth facility of the Elwin G. Smith Division of Cyclops Corporation was PAD087569620.

- 5. Identify the acts or omissions of any person, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants and damages resulting therefrom at the CRS Site.**

AK Steel is not aware of any acts or omissions of any person that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants and damages resulting therefrom at the CRS Site.

- 6. Identify all persons including respondent's employees, who have knowledge or information about the generation, use, treatment, storage, disposal, or other handling of material at or transportation of materials to the Site (operating as Obitts Chemical Company or Chemical Recovery Systems, Inc., at 142 Locust Street, Elyria, Ohio).**

AK Steel is not aware of any persons, including AK Steel's employees, who have knowledge or information about the generation, use, treatment, storage, disposal, or other handling of material at or transportation of materials to the Site (operating as Obitts Chemical Company or Chemical Recovery Systems, Inc., at 142 Locust Street, Elyria, Ohio).

- 7. Describe all arrangements that Respondent may have or may have had with each of the following companies and persons.**

a) Obitts Chemical Company

AK Steel is not aware of any arrangements that it may have or may have had with Obitts Chemical Company.

b) Russell Obitts

AK Steel is not aware of any arrangements that it may have or may have had with Russell Obitts.

c) Chemical Recovery Systems, Inc.

A responsive document is enclosed, numbered AKS-00001.

d) Peter Shagena

AK Steel is not aware of any arrangements that it may have or may have had with Peter Shagena.

e) James Freeman

AK Steel is not aware of any arrangements that it may have or may have had with James Freeman.

f) James "Jim" Jackson

AK Steel is not aware of any arrangements that it may have or may have had with James "Jim" Jackson.

g) Donald Matthews

AK Steel is not aware of any arrangements that it may have or may have had with Donald Matthews.

h) Bob Spears

AK Steel is not aware of any arrangements that it may have or may have had with Bob Spearsy.

i) Bill Bromley

AK Steel is not aware of any arrangements that it may have or may have had with Bill Bromley.

j) Carol Oliver

AK Steel is not aware of any arrangements that it may have or may have had with Carol Oliver.

k) Nolwood Chemical Company, Inc.

AK Steel is not aware of any arrangements that it may have or may have had with Nolwood Chemical Company, Inc.

l) Art McWood

AK Steel is not aware of any arrangements that it may have or may have had with Art McWood.

m) Chuck Nolton

AK Steel is not aware of any arrangements that it may have or may have had with Chuck Nolton.

n) Michigan Recovery System, Inc.

AK Steel is not aware of any arrangements that it may have or may have had with Michigan Recovery Systems, Inc.

o) Chemical Recovery Systems of Michigan

AK Steel is not aware of any arrangements that it may have or may have had with Chemical Recovery Systems of Michigan.

8. Set forth the dates during which the Respondent engaged in any of the following activities:

a) Generation of hazardous materials which were sent to the CRS Site;

AK Steel has never generated any materials that were sent to the CRS site. Pursuant to AKS-00001, the Emsworth facility of the Elwin G. Smith Division of Cyclops Corporation may have sent materials to the CRS Site around 1980.

b) Transportation of any material to the CRS Site.

AK Steel has never transported any material to the CRS site. Pursuant to AKS-00001, the Emsworth facility of the Elwin G. Smith Division of Cyclops Corporation may have sent materials to the CRS Site around 1980.

9. Identify all persons, including yourself, who may have arranged for disposal or treatment, or arranged for transportation for disposal or treatment, of materials, including, but not limited to, hazardous substances, at the CRS Site.

AK Steel never arranged for disposal or treatment, or arranged for transportation for disposal or treatment, of any materials at the CRS site. Pursuant to AKS-00001, the Emsworth facility of the Elwin G. Smith Division of Cyclops Corporation may have arranged to send materials at the CRS Site. AK Steel is not aware of any other persons that may have arranged for transportation for disposal or treatment of materials at the CRS Site.

In addition, identify the following:

a) The persons with whom you or such other persons made such arrangements;

AK Steel is not aware of any persons whom AK Steel or such other persons made arrangements.

b) Every date on which such arrangements took place;

Pursuant to AKS-00001, the Emsworth facility of the Elwin G. Smith Division of Cyclops Corporation may have sent materials to the CRS Site around 1980.

c) For each transaction, the nature of the material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the process for which the substance was used or the process which generated the substance;

Pursuant to AKS-00001, the Emsworth facility of the Elwin G. Smith Division of Cyclops Corporation may have sent "used roll wash & solvents, distilled & recovered" to the CRS Site. AK Steel is not aware of the process for which the substance was used or the process which generated the substance.

d) The owner of the materials or hazardous substances so accepted or transported;

AK Steel is not aware of the owner of the materials or hazardous substances so accepted or transported.

e) The quantity of the materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;

AK Steel is not aware of the quantity that was involved (weight or volume) in each transaction, if any, and the total quantity for any transactions.

f) All tests, analyses, and analytical results concerning the materials;

AK Steel is not aware of any tests, analyses, and analytical results concerning the materials.

- g) The person(s) who selected the CRS Site as the place to which the materials or hazardous substances were to be transported;**

AK Steel is not aware of the person(s) who selected the CRS Site as the place to which the materials or hazardous substances, if any, were to be possibly transported, however it was not AK Steel.

- h) The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;**

AK Steel is not aware of the amount paid in connection with each transaction, if any, the method of payment, and the identity of the person from whom payment was received.

- i) Where the person identified in g., above, intended to have such hazardous substances or materials transported and all evidence of this intent;**

AK Steel is not aware of where the person identified in g., above, intended to have such hazardous substances or materials, if any, transported and all evidence of this intent.

- j) Whether the materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;**

AK Steel is not aware of whether the materials or hazardous substances, if any, involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal.

- k) What was actually done to the materials or hazardous substances once they were brought to the CRS Site;**

AK Steel is not aware what was actually done to the materials or hazardous substances, if any, once they were brought to the CRS Site.

- l) The final disposition of each of the materials or hazardous substances involved in such transactions;**

AK Steel is not aware of the final disposition of each of the materials or hazardous substances, if any, involved in such transactions.

- m) The measures taken by you to determine the actual methods, means, and site of treatment or disposal of the material and hazardous substance involved in each transaction;**

AK Steel is not aware of the measures taken to determine the actual methods, means, and site of treatment or disposal of the material and hazardous substance, if any, involved in each transaction.

- n) The type and number of containers in which the materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the CRS Site, and all markings on such containers;**

AK Steel is not aware of the type and number of containers in which the materials or hazardous substances were contained, if any, when they were accepted for transport, and subsequently until they were deposited at the CRS Site, and all markings on such containers.

- o) The price paid for (i) transport, (ii) disposal, or (iii) both of each material and hazardous substance;**

AK Steel is not aware of the price paid for (i) transport, (ii) disposal, or (iii) both of each material and hazardous substance, if any.

- p) All documents containing information responsive to a – o above, or in lieu of identification of all relevant documents, provide copies of all such documents;**

A responsive document is enclosed, numbered AKS-00001.

- q) All persons with knowledge, information, documents responsive to a – p above.**

AK Steel is not aware of any persons with knowledge or information responsive to a - p above. A responsive document is enclosed, numbered AKS-00001.

- 10. Identify all liability insurance policies held by Respondent from 1960 to the present. In identifying such policies, state the name and address of each insurer or of the insured, the amount of coverage under each policy, the commencement and expiration dates for each policy, whether or not the policy contains a “pollution exclusion” clause, and whether the policy covers or excludes sudden, nonsudden, or both types of accidents. In lieu of providing this information, you may submit complete copies of all relevant insurance policies.**

AK Steel objects to this question as being overly broad, unduly burdensome, irrelevant, and contrary to U.S. EPA guidance. Pursuant to *U.S. EPA's Transmittal of Sample Documents for More Effective Communication in CERCLA Section 104(e)(2) Information Requests*, Office of Enforcement and Compliance Assurance, June 30, 1995, "requests for financial information are not included in the initial information request," and "a request for financial information is normally only appropriate once the potential liability of the party has been established." Even then, the guidance states that requests for financial information are only appropriate if the recipient "believes it has an inability to pay its share of the cleanup costs." AK Steel has not made an inability to pay argument, and does not anticipate making such an argument at this time.

Whether AK Steel or any alleged predecessor or successor corporation has or had any liability insurance coverage has no bearing on AK Steel's alleged liability for alleged contamination of the CRS Site. Therefore, the existence of any such policies is irrelevant.

11. Provide copies of all income tax returns, including all supporting schedules, sent to the Federal Internal Revenue Service in the last five years.

See AK Steel's response to Request No. 10.

Additionally, the requested information can be readily derived or ascertained by U.S. EPA by accessing documents filed by AK Steel with the Internal Revenue Service. U.S. EPA may request, examine, audit, or inspect such records and make copies of such records through the relevant government offices at its convenience.

12. If Respondent is a Corporation, respond to the following requests:

a) Provide a copy of the Articles of Incorporation and By-Laws of the Respondent;

See AK Steel's response to Request No. 10.

b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission;

See AK Steel's response to Request No. 10.

Additionally, the requested information can be readily derived or ascertained by U.S. EPA by accessing documents filed by AK Steel with the Securities and Exchange Commission, including but not limited to Forms 10-K and 10-Q. U.S. EPA may request, examine, audit, or inspect such records and make copies of such records through the relevant government offices at

its convenience. AK Steel further responds by referencing U.S. EPA to the SEC's internet website (www.sec.gov) and, in particular, the SEC "EDGAR" database (www.sec.gov/edgarhp.htm), which contains both recent 10-K and 10-Q filings for AK Steel.

- c) Identify all of Respondent's current assets and liabilities and the person(s) who currently own(s) or is (are) responsible for such assets and liabilities;**

See AK Steel's response to Request No. 10.

- d) Identify the Parent Corporation and all Subsidiaries of the Respondent.**

See AK Steel's response to Request No. 10.

13. If Respondent is a Partnership, respond to the following requests:

- a) Provide copies of the Partnership Agreement;**
- b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission;**
- c) Identify all of Respondent's current assets and liabilities and the person(s) who currently own(s) or is (are) responsible for such assets or liabilities;**
- d) Identify all subsidiaries of the Respondent.**

AK Steel is not a Partnership.

14. If Respondent is a Trust, respond to the following requests:

- a) Provide all relevant agreements and documents to support this claim;**
- b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission;**
- c) Identify all of Respondent's current assets and liabilities and the person(s) who currently own(s) or is (are) responsible for such assets and liabilities.**

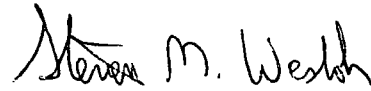
AK Steel is not a Trust.

Ms. Deena Sheppard-Johnson
March 1, 2002
Page 12

The requested certification page is attached to this letter. If you have any questions regarding these responses, please call me.

Very truly yours,

FROST BROWN TODD LLC

A handwritten signature in black ink, appearing to read "Steven M. Wesloh". The signature is fluid and cursive, with the first name "Steven" being more prominent.

Steven M. Wesloh

Enclosures (via overnight)

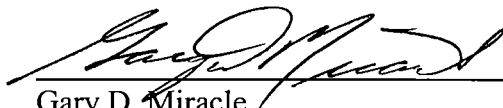
cc: John J. Kuzman, Esq.
Mr. Carl Batliner
Ms. Paula Spencer

CINlibrary/1151750.1

INFORMATION REQUEST CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Certified this 28 day of February, 2002.



Gary D. Miracle
Director, Environmental Affairs
AK Steel Corporation

Sources for Disposal of
Industrial Wastes
Emsworth Plant

- | | <u>Firm</u> | <u>Waste Product</u> |
|-----------|-------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| 1.
007 | AAA Rubbish
7533 Tioga St
Pittsburgh Pa 15208
561-8486 | Scrap paint in Smith's
own cans or drums.
Hauled in dumpster |
| 2.
006 | City Waste Oil
P.O. Box 12
McKees Rocks, Pa 15136
331-0707 | all mill rolling oils,
water soluble & straight oil
Dumped into holding tank.
Hauler pumps it into his
tank truck. |
| 3.
004 | Industrial Waste, Inc.
P.O. Box 222
New Brighton Pa 15066
845-8130 | Spray lining: spent waste
treatment from 5 different
tanks.
Hauler pumps it into his
tank truck |
| | " also: | sludge from neutralization
tanks at conversion
coating tank at oil
coating line.
Hauler pumps it into his
tank truck |
| 4.
005 | Chemical Recovery Systems, Inc
142 Locust St
P.O. Box 375
Elyria, Ohio 44035
216-323-3275 Mr. Freeman | used roll wash & solvents.
Distilled & recovered. |



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6/00

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2C82
6/00

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CINCINNATI OH 45202

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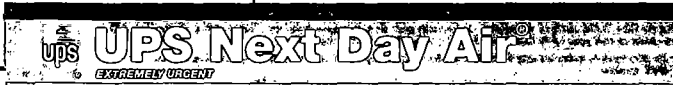
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